

Proposed Order

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING
PHARMACY, INC. PRODUCTS LIABILITY
LITIGATION

)
)
) MDL No. 1:13-md-02419-RWZ
)
)

This Document Relates to:
All Cases

**ORDER PARTIALLY WITHDRAWING THE REFERENCE IN CONNECTION WITH
THE IMPLEMENTATION OF
THE THIRD AMENDED JOINT PLAN OF
REORGANIZATION OF NEW ENGLAND COMPOUNDING PHARMACY, INC.**

Upon the motion the (“Motion”)¹ of Paul D. Moore, the Post-Confirmation Officer of New England Compounding Pharmacy, Inc. d/b/a New England Compounding Center (“NECC”), for entry of an order “partially” withdrawing the reference with regard to the chapter 11 proceeding *In re New England Compounding Pharmacy, Inc.*, United States Bankruptcy Court for the District of Massachusetts, Eastern Division (the “Bankruptcy Court”), Case No. 12-19882-HJB (the “Bankruptcy Case”) to the extent necessary to implement the Third Amended Joint Chapter 11 Plan of New England Compounding Pharmacy, Inc. (the “Chapter 11 Plan”); and no objections to the Motion having been filed; and upon due and sufficient notice and a hearing thereon; it is hereby ORDERED as follows:

1. The Motion is **GRANTED** on the terms and conditions set forth in this Order.
2. Pursuant to 28 U.S.C. § 157(d) and Rule 201 of this Court’s Local Rules, the reference of the Bankruptcy Case to the Bankruptcy Court is partially withdrawn as to the Tort Trust and Claims Resolution Facility Matters, *nunc pro tunc* to May 14, 2015, as more particularly described in the Motion.

¹ Capitalized terms not otherwise defined herein shall have the meaning set forth in the Motion.

3. For all other purposes, the Bankruptcy Court shall retain jurisdiction over the Bankruptcy Case and matters relating to the Plan and its implementation.

4. This Order is without prejudice to the right of the Post-Confirmation Officer to seek hereafter and from time to time withdrawal of the reference as to other matters arising under the Plan, the Tort Trust Agreement and the Claims Resolution Facility Procedures.

Dated: _____, 2015

BY THE COURT,

Honorable Rya W. Zobel
United States District Judge